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August 21, 2012

**VIA ECF**

Hon. Arthur D. Spatt  
United States District Judge  
1020 Federal Plaza  
Central Islip, New York 11722

**Re: United States v. Daniel Greenberg  
Docket # 12 CR 301(ADS)**

Dear Judge Spatt;

As the Court is aware, I was just recently appointed under the Criminal Justice Act to represent the Defendant in this matter. I understand that the Court has previously directed counsel to file motions by August 31, 2012, and set a briefing and argument schedule thereafter, with a late November trial date.

I have just recently obtained three large boxes containing a portion of the file in this case from prior counsel, including a hard drive and several CDs of discovery material. I understand that there are at least several dozen boxes of records which require at least cursory review. I have not yet become familiar enough with the case to even decide which motions, if any, are viable. I anticipate that familiarizing myself with the voluminous material and beginning to prepare for trial will take several months, and I respectfully note that prior counsel had at least six months to reach that point, and the added advantage of a law firm with several employees.

I therefore respectfully request that the present motion schedule be eliminated, and that a status conference be scheduled in mid to late September, at which time a reasonable schedule can be set. I have spoken with AUSA Sarah Coyne, who advises that she has no objection to this request. I have also discussed the matter with my client, who understands the reason for the delay and consents to the exclusion of time under the Speedy Trial Act.

Thank you for your courtesy.

Respectfully yours,  
*/s/ John S. Wallenstein*  
JOHN S. WALLENSTEIN